

GENERAL ORDINANCE NO. G-97-70

AN ORDINANCE amending Sections 14, 16 and 8 of the Zoning Ordinance of the City of Fort Wayne, Indiana.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. Section 14 of Chapter 36 of the Municipal Code of the City of Fort Wayne, Indiana, 1946, as amended by General Ordinance No. 2836 and subsequent amendments, is hereby amended by adding thereto the following:

Section 14. PERMITTED USES - SPECIFIED DISTRICTS.

D. "RA" District and "RB" District - Residence.

- "10. Multiple Family or Multiple Group and Facilities - Before an Improvement Location Permit may be issued for a multiple family or multiple group development containing two (2) dwelling units or more, the Commission shall approve a preliminary development plan for the entire tract. The preliminary development plan must be submitted to the Commission at least twenty-one (21) days prior to the scheduled Commission meeting. A tract is herein defined as the entire land proposed for the apartment project.

Development Plan Requirements - In determining the approval or disapproval of a preliminary development plan and supporting data, the Commission shall be governed by the following:

- (A) The development plan shall meet the following location criteria:
- (1) The location and size of the development would be compatible with the surrounding area and would not conflict with any components of the Master Plan of the City of Fort Wayne.
 - (2) The location of the development would provide direct access to a secondary or primary street of sufficient right-of-way and improvement width, or a residential street that meets the minimum requirements of both right-of-way and improvement of a secondary street unless waived by the Plan Commission.
 - (3) Written approval is received from the agency having jurisdiction that the development would not impose hardships on the following facilities:
 - (a) Water
 - (b) Sewer
 - (c) Streets
 - (d) Schools
 - (e) Parks & Playgrounds
 - (f) Fire Protection
 - (g) Storm Water Drainage

- (4) The Commission shall determine which streets shall be dedicated and which passageways are to be private streets or parking lots.
 - (5) If the Commission is of the opinion that the location of the multiple family or multiple group development would conflict with the Master Plan for the City of Fort Wayne or would be detrimental to the growth of existing uses in the surrounding area, the Commission may disapprove said multiple development proposal, providing, however, such approval by the Commission will not be unreasonably withheld.
- (B) The preliminary development plan shall meet the following standards and include the following information and supporting data:
- (1) No less than 2,500 square feet of land is devoted to any efficiency, one or two bedroom living unit. In determining density no part of any existing street right-of-way or proposed right-of-way as shown in the Thoroughfare Plan shall be included.
 - (2) Living units having three (3) or more bedrooms shall have a minimum of 4,000 square feet of land per unit. In determining density no part of any existing street right-of-way or proposed right-of-way as shown in the Thoroughfare Plan shall be included.
 - (3) The minimum off-street parking requirement shall be one and one-half (1-1/2) spaces per unit and must be in an acceptable location to the building served. All parking spaces on public or private streets shall be parallel to the street.
 - (4) All dedicated streets shall conform to the minimum requirements of the Subdivision Control Ordinance of the City of Fort Wayne and provide alignment with existing dedicated streets.
 - (5) The maximum building coverage does not exceed thirty (30) percent of the tract, exclusive of streets.
 - (6) Recreation or laundry facilities be located in a manner that would serve only the proposed multiple family complex. The use of these facilities by persons living outside this complex would be a violation of this ordinance.
 - (7) In a multiple family or multiple group development, no building shall be closer than twenty-five (25) feet to an adjacent property line in the case of a one-story building nor closer than thirty (30) feet in the case of a two-story building. The Plan Commission may waive front, side or rear yard requirements if such waiver would compliment the plan.

- (8) Date, Scale 1"=50', North Point, Name of Designer or Engineer and name and address of developer or tract.
- (9) Accurate boundaries of proposed development and accurate location of abutting streets and structures.
- (10) Location, size, use and capacity of all structures existing or to be placed on the tract.
- (11) Proposed point of ingress and egress for the planned development with proposed parking areas.
- (12) Existing and proposed rights-of-way of existing or proposed streets, roads and highways.
- (13) Proposed site screening and landscaping of development. A minimum of forty (40) per cent of all open space, exclusive of streets, shall be devoted to landscaping, unless waived by the Commission.
- (14) Proposals for sewers, water, gas, electricity and storm drainage and the necessary easements for these utilities.
- (15) Proposals for control of storm water runoff.
- (16) A twenty-five (25) dollar application fee must be paid to the Fort Wayne City Controller for the processing of this development plan.
- (17) The Commission shall determine the location and type of all additional sidewalks.

If the Commission approves the preliminary development plan, the final development plan shall be submitted to the Commission twenty-one (21) days prior to their scheduled meeting and include the original tracing, five (5) prints and the following additional information and supporting data:

1. Five (5) sets of improvement plans to be distributed to the Street Engineer, Water Engineer and Sewer Engineer and drawn in compliance with the Fort Wayne Board of Public Works Specifications.
2. Existing contours at two (2) foot intervals with spot elevations of finished grade and directions of storm water runoff.
3. To dedicate the streets and easements within this development plan, the following should be added:

- (a) Name of Plat.
- (b) Street name assigned to streets to be dedicated and defining of streets or drives to remain private.
- (c) Certification by land surveyor registered by the State of Indiana.
- (d) Lot lines and dimensions.
- (e) Execution and notary by owners of land.
- (f) Instrument of approval for signatures of governing bodies.
- (g) Private restrictive covenants.
- (h) Statement dedicating streets and easements to the City of Fort Wayne."

SECTION 2. Section 16(A) of Chapter 36 of the Municipal Code of the City of Fort Wayne, Indiana, 1946, as amended by General Ordinance No. 2836 and subsequent amendments, is hereby amended with respect to "RA" and "RB" Districts as follows:

<u>District</u>	<u>Minimum Width at Building Line</u>	<u>Minimum Lot Area (Square Feet)</u>	<u>Required Lot Area Per Dwelling Units and Square Feet Per Unit</u>	
RA	75 Feet	10,000	1	10,000
			2	7,000
			3 or more see Section 14(D), 10	
RB	60 Feet	7,200	1	7,200
			2	5,000
			3 or more see Section 14(D), 10	

SECTION 3. Section 16(B) of Chapter 36 of the Municipal Code of the City of Fort Wayne, Indiana, 1946, as amended by General Ordinance No. 2836 and subsequent amendments, is hereby amended by deleting therefrom Paragraph 5, and changing the present Paragraph 6 thereof to Paragraph 5 and the present Paragraph 7 thereof to Paragraph 6 of said Section 16(B).

SECTION 4. Section 8(B), paragraph 1(a) of Chapter 36 of the Municipal Code of the City of Fort Wayne, Indiana, 1946, as amended by General Ordinance No. 2836 and subsequent amendments, is hereby amended to read as follows:

"For any dwelling unit - At least one and one-half (1-1/2) parking spaces plus one parking space for each two (2) sleeping rooms rented to persons not members of the family occupying the dwelling unit."

SECTION 5. This Ordinance shall become effective upon its passage, approval by the Mayor, and publication as required by law.

APPROVED AS TO FORM
AND LEGALITY,

CITY ATTORNEY

Read the first time in full and on motion by _____ seconded by _____ and duly adopted, read the second time by title and referred to the (Committee on) _____ (and to the City Plan Commission for recommendation) (and Public Hearing to be held after due legal notice, at the Council Chambers, City Hall, Fort Wayne, Indiana, on _____ the _____ day of _____ 196 ____, at _____ o'clock P.M., E.S.T.

Date: 8-25-70

Luad G. Bonahoom
City Clerk

Read the third time in full and on motion by _____ seconded by Robinson and duly adopted, placed on its passage.

Passed (~~lost~~) by the following vote:

AYES	<u>6</u>	NAYS	<u>0</u>	ABSTAINED	____	ABSENT	<u>3</u>	to-wit:
Adams	<u>✓</u>	_____	_____	_____	_____	_____	_____	
Dunifon	<u>✓</u>	_____	_____	_____	_____	_____	_____	
Fay	<u>✓</u>	_____	_____	_____	_____	_____	_____	
Geake	_____	_____	_____	_____	_____	_____	<u>✓</u>	
Nuckols	_____	_____	_____	_____	_____	_____	<u>✓</u>	
Robinson	<u>✓</u>	_____	_____	_____	_____	_____	_____	
Rousseau	<u>✓</u>	_____	_____	_____	_____	_____	<u>✓</u>	
Steigerwald	<u>✓</u>	_____	_____	_____	_____	_____	_____	
Tipton	<u>✓</u>	_____	_____	_____	_____	_____	_____	

Date 8-25-70

Luad G. Bonahoom
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as (~~Zoning Map~~) (~~General~~) (~~Annexation~~) (~~Special~~) (~~Appropriation~~) Ordinance (~~Resolution~~) No. 8197-70

on the 25th day of August, 196 70.

ATTEST: (SEAL)

Luad G. Bonahoom
City Clerk

Herbert L. Tipton
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 26th day of August, 196 70 at the hour of 8:30 o'clock 11.M.,E.S.T.

Luad G. Bonahoom
City Clerk

Approved and signed by me this 26th day of August, 196 70 at the hour of 10:34 o'clock A.M.,E.S.T.

Harold S. Zeis
Mayor

Bill No. G-70-03-36

REPORT OF THE COMMITTEE ON REGULATIONS

We, your Committee on Regulations to whom was referred an Ordinance
amending Sections 14, 16 and 8 of the Zoning Ordinance of the City of Fort Wayne,
Indiana,

have had said Ordinance under consideration and beg leave to report back to the Common
Council that said Ordinance Do PASS.

JACK K. DUNIFON, Chairman

EDWIN J. ROUSSEAU, Vice-Chairman

THOMAS G. ADAMS

WILLIAM K. GEAKE

PHIL A. STEIGERWALD

Jack K. Dunifon
Thomas G. Adams
Phil A. Steigerwald
CONCURRED IN

DATE 8-25-70 FUAD G. BONAHOOM, CITY CLERK

RESOLUTION OF ZONING ORDINANCE TEXT AMENDMENT RECOMMENDATION

WHEREAS, the Common Council of the City of Fort Wayne, Indiana, on March 24, 1970, referred a proposed zoning text amendment to the City Plan Commission which proposed ordinance was designated as Bill No. G-70-03-36 Amended; and,

WHEREAS, the required notice of public hearing on such proposed ordinance has been published as required by law; and,

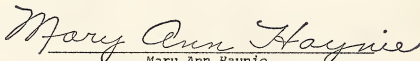
WHEREAS, the City Plan Commission conducted a public hearing on such proposed ordinance on May 18, 1970;

NOW THEREFORE, BE IT RESOLVED that the City Plan Commission does hereby recommend that such proposed ordinance DO PASS for the reasons that a need has been shown for the Text of the Zoning Ordinance to be amended and the amendment will be in the best interest of and benefit to the City of Fort Wayne;

BE IT FURTHER RESOLVED that the Secretary is hereby directed to present a copy of this resolution to the Common Council at its next regular meeting.

This is to certify that the above is a true and exact copy of a resolution adopted at the meeting of the Fort Wayne City Plan Commission held June 15, 1970.

Certified and signed this
24th day of August 1970.


Mary Ann Haynie
Secretary

BILL NO. G-70-03-36

GENERAL ORDINANCE NO. G-_____

AN ORDINANCE amending Sections 14, 16 and 8 of the Zoning Ordinance of the City of Fort Wayne, Indiana.

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D. "RA" District and "RB" District - Residence.

- "10. Multiple Family or Multiple Group and Facilities - Before an Improvement Location Permit may be issued for a multiple family or multiple group development containing two (2) dwelling units or more, the Commission shall approve a preliminary development plan for the entire tract. The preliminary development plan must be submitted to the Commission at least twenty-one (21) days prior to the scheduled Commission meeting.

A Tract is being defined as the entire land proposed for the apartment project.
Development Plan Requirements - In determining the approval or disapproval of a preliminary development plan and supporting data, the Commission shall be governed by the following:

(A) The development plan shall meet the following location criteria:

- (1) The location and size of the development would be compatible with the surrounding area and would not conflict with any components of the Master Plan of the City of Fort Wayne.
- (2) The location of the development would provide direct access to a secondary or primary street of sufficient right-of-way and improvement width, or a residential street that meets the minimum requirements of both right-of-way and improvement of a secondary street.

- (3) Written approval is received from the agency having jurisdiction that the development would not impose hardships on the following facilities:

- (a) Water
- (b) Sewer
- (c) Streets
- (d) Schools
- (e) Parks & Playgrounds
- (f) Fire Protection
- (g) Storm Water Drainage

- (4) The Commission shall determine which streets shall be dedicated and which passageways are to be private streets or parking lots.

- (5) If the Commission is of the opinion that the location of the multiple family or multiple group development would conflict with the Master Plan for the City of Fort Wayne or would be detrimental to the growth of existing uses in the surrounding area, the Commission may disapprove said multiple development proposal. *Provided, however, such approval by the Commission will be given on the basis of the following standards:*

- (B) The preliminary development plan shall meet the following standards and include the following information and supporting data:

- (1) No less than 2,500 square feet of land is devoted to any efficiency, one or two bedroom living unit. In determining dwelling unit density, no part thereof within the limits of the street, as designated by the Commission, shall be included.

- (2) Living units having three (3) or more bedrooms shall have a minimum of 4,000 square feet of land per unit. In determining dwelling unit density, no part thereof within the limits of the street, as designated by the Commission, shall be included.

- (3) The minimum off-street parking requirement shall be one and one-half (1-1/2) spaces per unit and must be in an acceptable location to the building served. All parking spaces on public or private streets shall be parallel to the street.
- (4) All dedicated streets shall conform to the minimum requirements of the Sub-division Control Ordinance of the City of Fort Wayne and provide alignment with existing dedicated streets.
- (5) The maximum building coverage does not exceed thirty (30) percent of the tract, exclusive of streets.
- (6) Recreation or laundry facilities be located in a manner that would serve only the proposed multiple family complex. The use of these facilities by persons living outside this complex would be a violation of this ordinance.
- (7) In a multiple family or multiple group development, no building shall be closer than twenty-five (25) feet to an adjacent property line in the case of a one-story building nor closer than thirty (30) feet in the case of a two-story building. The Plan Commission may waive front, side or rear yard requirements if such waiver would compliment the plan.
- (8) Date, Scale 1"=50', North Point, Name of Designer or Engineer and name and address of developer or tract.
- (9) Accurate boundaries of proposed development and accurate location of abutting streets and structures.
- (10) Location, size, use and capacity of all structures existing or to be placed on the tract.
- (11) Proposed point of ingress and egress for the planned development with proposed parking areas.

- (12) Existing and proposed rights-of-way of existing or proposed streets, roads and highways.
- (13) Proposed site screening and landscaping of development. A minimum of forty (40) per cent of all open space, exclusive of streets, shall be devoted to landscaping, unless waived by the Commission.
- (14) Proposals for sewers, water, gas, electricity and storm drainage and the necessary easements for these utilities.
- (15) Proposals for control of storm water runoff.
- (16) A twenty-five (25) dollar application fee must be paid to the Fort Wayne City Controller for the processing of this development plan.
- (17) The Commission shall determine the location and type of all additional sidewalks.

If the Commission approves the preliminary development plan, the final development plan shall be submitted to the Commission twenty-one (21) days prior to their scheduled meeting and include the original tracing, five (5) prints and the following additional information and supporting data:

1. Five (5) sets of improvement plans to be distributed to the Street Engineer, Water Engineer and Sewer Engineer and drawn in compliance with the Fort Wayne Board of Public Works Specifications.
2. Existing contours at two (2) foot intervals with spot elevations of finished grade and directions of storm water runoff.
3. To dedicate the streets and easements within this development plan, the following should be added:
 - (a) Name of Plat.
 - (b) Street name assigned to streets to be dedicated and defining of streets or drives to remain private.
 - (c) Certification by land surveyor registered by the State of Indiana.

- (d) Lot lines and dimensions.
- (e) Execution and notary by owners of land.
- (f) Instrument of approval for signatures of governing bodies.
- (g) Private restrictive covenants.
- (h) Statement dedicating streets and easements to the City of Fort Wayne."

SECTION 2. Section 16(A) of Chapter 36 of the Municipal Code of the City of Fort Wayne, Indiana, 1946, as amended by General Ordinance No. 2836 and subsequent amendments, is hereby amended with respect to "RA" and "RB" Districts as follows:

<u>District</u>	<u>Minimum Width at Building Line</u>	<u>Minimum Lot Area (Square Feet)</u>	<u>Required Lot Area Per Dwelling Units and Square Feet Per Unit</u>	
RA	75 Feet	10,000	1	10,000
			2	7,000
			3 or more	
			see Section 14(D), 10	
RB	60 Feet	7,200	1	7,200
			2	5,000
			3 or more	
			see Section 14(D), 10	

SECTION 3. Section 16(B) of Chapter 36 of the Municipal Code of the City of Fort Wayne, Indiana, 1946, as amended by General Ordinance No. 2836 and subsequent amendments, is hereby amended by deleting therefrom Paragraph 4, and changing the present Paragraph 5 thereof to Paragraph 4 of said Section 16(B).

SECTION 4. Section 8(B), paragraph 1(a) of Chapter 36 of the Municipal Code of the City of Fort Wayne, Indiana, 1946, as amended by General Ordinance No. 2836 and subsequent amendments, is hereby amended to read as follows:

"For any dwelling unit - At least one and one-half (1-1/2) parking spaces plus one parking space for each two (2) sleeping rooms rented to persons not members of the family occupying the dwelling unit."

~~SECTION~~

SECTION 5. This Ordinance shall become effective upon its passage, approval by the Mayor, and publication as required by law.

A handwritten signature in blue ink, appearing to read "Jack R. Dunigan", written over a horizontal line.

APPROVED AS TO FORM
AND LEGALITY, 

CITY ATTORNEY

Read the first time in full and on motion by Dunifon seconded by

Rousseau and duly adopted, read the second time by title and referred to the (Committee on) Regulations (and to the City Plan Commission for recommendation) ~~(and Public Hearing to be held after due legal notice,~~

~~at the Council Chambers, City Hall, Fort Wayne, Indiana, on~~

the _____ day of _____ 196____, at _____ o'clock P.M., E.S.T.

Date: 3-24-70

Frank G. Bonakroom
City Clerk

Read the third time in full and on motion by _____

seconded by _____ and duly adopted, placed on its passage.

Passed (LOST) by the following vote:

AYES _____, NAYS _____, ABSTAINED _____, ABSENT _____ to-wit:

Adams	_____	_____	_____	_____
Dunifon	_____	_____	_____	_____
Fay	_____	_____	_____	_____
Geake	_____	_____	_____	_____
Nuckols	_____	_____	_____	_____
Robinson	_____	_____	_____	_____
Rousseau	_____	_____	_____	_____
Steigerwald	_____	_____	_____	_____
Tipton	_____	_____	_____	_____

Date _____

City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as ~~(Zoning Map)~~ ~~(General)~~ ~~(Annexation)~~ ~~(Special)~~ ~~(Appropriation)~~ Ordinance (Resolution) No. 8-

on the _____ day of _____, 196 70.

ATTEST:

(SEAL)

City Clerk

Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the _____ day of _____, 196 70 at the hour of 8:30 o'clock 17.M.,E.S.T.

City Clerk

Approved and signed by me this _____ day of _____, 196____, at the hour of _____ o'clock _____M.,E.S.T.

Mayor

Date **September 11, 1970**

Legal Notices

Notice is hereby given that on the 25th day of August, 1970, the Common Council of the City of Fort Wayne, Indiana, in a Regular Session, did pass the following General Ordinance, to-wit:

BILL NO. G-70-26 (Amended)

GENERAL ORDINANCE NO. G-97-70

AN ORDINANCE amending Sections 14, 15 and 16 of the Zoning Ordinance of the City of Fort Wayne, Indiana.

BILL ORDINANCE BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA

Section 1, Section 14 of Chapter 36 of the Municipal Code of the City of Fort Wayne, Indiana, 1946, as amended by General Ordinance No. 2636 and subsequent amendments, is hereby amended by adding thereto the following:

Section 14. PERMITTED USES —

D. "RA" District and "RB District 8

10. Multiple Family or Multiple Group

Before an Improvement Location Permit may be issued for a multiple family or multiple group development containing two (2) dwelling units or more, the Commission shall approve a preliminary development plan for the entire tract. The preliminary development plan must be submitted to the Commission at least twenty-one (21) days prior to the scheduled Commission meeting. A tract is herein defined as the entire land proposed for the apartment project.

Development Plan Requirements — In determining the appropriateness or disapproval of a preliminary development plan and supporting data, the Commission shall be governed by the following:

(A) The development plan shall meet the following location criteria:

(1) The location and size of the development shall be compatible with the surrounding area and would not conflict with any components of the Master Plan of the City of Fort Wayne.

(2) The location of the development would provide direct access to a secondary or primary street of sufficient right-of-way improvement, or a residential street that meets the minimum requirements of both right-of-way and improvement of a secondary street unless waived by the Plan Commission.

(3) Written approval is received from the agency having jurisdiction that the development would not impose hardships on the following facilities:

(a) Water

(b) Sewer

(c) Streets

(d) Schools

(e) Parks and Playgrounds

(f) Fire Protection

(g) Storm Water Drainage

(4) The Commission shall determine which streets shall be dedicated and which passageways are to be private streets or parking lots.

(5) If the Commission is of the opinion that the location of the multiple family or multiple group development would conflict with the Master Plan for the City of Fort Wayne, or would be detrimental to the growth of existing uses in the surrounding area, the Commission may disapprove said multiple development proposal, providing, however, such approval by the Commission will not be unreasonably withheld.

(6) The preliminary development plan shall meet the following standards and include the following information and supporting data:

(1) No less than 2,500 square feet of land is devoted to site efficiency, one or two bedroom living unit. In determining density no part of any existing street right-of-way or proposed right-of-way as shown in the Thoroughfare Plan shall be included.

(2) Living units having three (3) or more bedrooms shall have a minimum 4,000 square feet of land per unit, in determining density no part of any existing street right-of-way or proposed right-of-way as shown in the Thoroughfare Plan shall be included.

(3) The minimum off-street parking requirement shall be one and one-half (1½) spaces per unit and must be in an acceptable location to the building served. All parking spaces on public or private streets shall be parallel to the street.

(4) All dedicated streets shall conform to the minimum requirements of the Suburban Central Ordinance of the City of Fort Wayne and provide alignment with existing dedicated streets.

(5) The maximum building coverage does not exceed thirty (30) percent of the tract, exclusive of streets.

(6) Recreation or laundry facilities be located in a manner that would serve the proposed multiple family complex. The use of these facilities by persons living outside this complex would be a violation of this ordinance.

(7) In a multiple family or multiple group development, no building shall be closer than twenty-five (25) feet to a nearest property line in the case of a one-story building nor closer than thirty (30) feet in the case of a two-story building. The Plan Commission may waive front, side or rear yard requirements if such waiver would complicate the plan.

(8) Date: September 30, 1970. North Point.

Name of Designer or Engineer and name and address of developer or tract.

(9) Accurate boundaries of proposed development and accurate location of abutting streets and structures.

(10) Location, size, use and capacity of all structures existing on the tract.

(11) Proposed point of ingress and egress for the planned development with proposed parking areas.

(12) Existing and proposed rights-of-way

Legal Notices

of existing or proposed streets, roads and highways.

(13) Proposed site screening and landscaping of development. A minimum of forty (40) per cent of all open space, exclusive of streets, shall be devoted to landscaping, unless waived by the Commission.

(14) Proposals for sewers, water, gas, electricity and storm drainage, and the necessary easements for these utilities.

(15) Proposals for control of storm water runoff.

(16) A two-five (25) dollar application fee must be paid to the Fort Wayne City Engineer for the processing of this preliminary development plan.

(17) The Commission shall determine the location and type of all additional sidewalks.

(18) The Commission approved the preliminary development plan, the final development plan shall be submitted to the Commission twenty-one (21) days prior to their scheduled meeting and include the original tracing, five (5) prints and the following additional information and supporting data:

1. Five (5) sets of improvement plans to be distributed to the Street Engineer, Water Engineer and Sewer Engineer and drawn in compliance with the Board of Public Works Specifications.

2. Existing contours at two (2) foot intervals, showing the location of finished grade and directions of storm water runoff.

3. To dedicate the streets and easements within the development plan, the following shall be added:

(a) Name of Plan

(b) Street front adjacent to streets to be dedicated and defining of streets boundaries for private property.

(c) Certification by land surveyor registered by the State of Indiana.

(d) Lot lines and dimensions.

(e) Execution and notary by owners of land.

(f) Instrument of approval for signature of the City of Fort Wayne.

(g) Private restrictive covenants.

(h) Statement dedicating streets and easements to the City of Fort Wayne.

SECTION 2, Section 16 (a) of Chapter 36 of the Municipal Code of the City of Fort Wayne, Indiana, 1946, as amended by General Ordinance No. 2636 and subsequent amendments, is hereby amended by adding thereto "RA" and "RB" Districts as follows:

District RA, Minimum Width of Building Line, 75 feet. Minimum Lot Area (Square Feet), 10,000. Required Lot Area Per Dwelling Units and Square Feet Per Unit, 1, 10,000; 2, 7,000; 3 or more see Section 14(D), 16.

District RB, Minimum Width of Building Line, 60 feet. Minimum Lot Area (Square Feet), 7,200. Required Lot Area Per Dwelling Units and Square Feet Per Unit, 1, 7,200; 2, 5,000; 3 or more see Section 14(D), 16.

SECTION 3, Section 16 (B) of Chapter 36 of the Municipal Code of the City of Fort Wayne, Indiana, 1946, as amended by General Ordinance No. 2636 and subsequent amendments, is hereby amended by deleting therefrom Paragraph 5, and changing the present Paragraph thereof to Paragraph 5 and the present Paragraph thereof to Paragraph 6 of said Section 16 (B).

SECTION 4, Section 8 (B), paragraph (c) of Chapter 36 of the Municipal Code of the City of Fort Wayne, Indiana, 1946, as amended by General Ordinance No. 2636 and subsequent amendments, is hereby amended to read as follows:

"For any dwelling unit — At least one and one-half (1½) parking spaces plus one parking space for each two (2) sleeping persons rented to persons not members of the family occupying the dwelling unit."

SECTION 5. This Ordinance shall become effective upon its passage, approval by the Mayor, and publication as required by law.

JACK K. DUNFON, Councilman.

Read the third time in full and on motion by Dunfion seconded by Robinson and duly adopted, placed on its passage.

Passed by the following vote:

Ayes: six.

Adams, Dunfion, Fay, Robinson, Steigerwald, Tipton.

Noys: none.

Absent—three, to-wit: Councilmen Geake, Nickles and Sponsone.

Date: September 11, 1970.

FUAD G. BONAHOOM, City Clerk.

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as General Ordinance No. G-97-70 on the 25th day of August, 1970.

ATTEST: FUAD G. BONAHOOM, City Clerk.

HERBERT G. TIPTON, Presiding Officer.

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 26th day of August, 1970 at the hour of 8:30 o'clock A.M., E.D.T.

FUAD G. BONAHOOM, City Clerk.

Approved and signed by me this 26th day of August, 1970, at the hour of 10:34 o'clock A.M., E.D.T.

FUAD G. BONAHOOM, City Clerk.

Witness my hand, and the official seal of the City of Fort Wayne, Indiana, this 26th day of August, 1970.

FUAD G. BONAHOOM, City Clerk.

Title _____

CLERK

FIDAVIT

before me, a notary public in and for said county and state, the

ARVILLA DEWALD

who, being duly sworn, says

CLERK

of the

L-GAZETTE

newspaper of general circulation printed and published

in the City of FORT WAYNE, INDIANA

said, and that the printed matter attached hereto is a true copy,

d in said paper for 2 time, the dates of publication being

September 3, 1970

September 10, 1970

before me this 11th day of September 19 70

Blith Stapleton

Notary Public

March 8, 1974

Common Council-City of Ft. Wayne
(Governmental Unit)

To JOURNAL-GAZETTE

Dr.

Allen

County, Ind.

FORT WAYNE, INDIANA

PUBLISHER'S CLAIM

LINE COUNT

Display Matter (Must not exceed two actual lines, neither of which shall total more than four solid lines of the type in which the body of the advertisement is set)
— number of equivalent lines

Head number of lines

Body number of lines

Tail number of lines

Total number of lines in notice

—

275

1

276

COMPUTATION OF CHARGES

276 lines, columns wide equals equivalent lines at 28¢
cents per line

\$ 78.48

Additional charge for notices containing rule or tabular work (50 per cent of above amount)

Charge for extra proofs of publication (50 cents for each proof in excess of two)

TOTAL AMOUNT OF CLAIM

\$ 78.49

DATA FOR COMPUTING COST

Width of single column 11 ems

Size of type 5½ point

Number of insertions 2

Size of quad upon which type is cast 5½

Pursuant to the provision and penalties of Ch. 89, Acts 1967,

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

Date September 11, 1970

Title CLERK

Legal Notices

Notice is hereby given

that all persons

having any claim

against the City of

Fort Wayne, Indiana

should file the same

with the Clerk of

the Board of Public

Works, within the

time and place

herein specified.

Witness my hand

and seal this

11th day of

September, 1970.

Attest:

Edith Stapleton

Notary Public

My commission expires

March 8, 1974

PUBLISHER'S AFFIDAVIT

Indiana
County } ss:

Personally appeared before me, a notary public in and for said county and state, the undersigned ARVILLA DEWALD who, being duly sworn, says that she is CLERK of the

JOURNAL-GAZETTE

a DAILY newspaper of general circulation printed and published in the English language in the city of FORT WAYNE, INDIANA in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for 2 time s, the dates of publication being as follows:

September 3, 1970

September 10, 1970

Subscribed and sworn to before me this 11th day of September 1970

Notary Public

My commission expires March 8, 1974

Legals

Notice is hereby given that on the 25th day of August, 1970, the Common Council of the City of Fort Wayne, Indiana, in a Regular Session, did pass the following General Ordinance, to-wit:

GENERAL ORDINANCE NO. G-97-70
BILL NO. G-97-35 (amended)
AN ORDINANCE amending Sections 14, 16 and 8 of the Zoning Ordinance of the City of Fort Wayne, Indiana.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. Section 14 of Chapter 36 of the Municipal Code of the City of Fort Wayne, Indiana, 1946, as amended by General Ordinance No. 2935 and subsequent amendments, is hereby amended by adding thereto the following:

SECTION 14. PERMITTED USES — SPECIFIED DISTRICTS.

D. "RA" District and "RB District 8 Residence."

10. Multiple Family or Multiple Group and Facilities —

Before an Improvement Location Permit may be issued for a multiple family or multiple group development containing two (2) dwelling units or more, the Commission shall approve a preliminary development plan for the entire tract. The preliminary development plan must be submitted to the Commission at least twenty-one (21) days prior to the scheduled Commission meeting. A tract is herein defined as the entire land proposed for the apartment project.

Development Plan Requirements — In determining the approval or disapproval of a preliminary development plan and supporting data, the Commission shall be governed by the following:

(A) The development plan shall meet the following location criteria:

(1) The location and size of the development would be compatible with the surrounding area and would not conflict with any components of the Master Plan of the City of Fort Wayne.

(2) The location of the development would provide direct access to a secondary or primary street of sufficient right-of-way and improvement width, or a residential street that meets the minimum requirements of both right-of-way and improvement of a secondary street unless waived by the Plan Commission.

(3) Written approval is received from the agency having jurisdiction that the development would not impose hardships on the following facilities:

- (a) Water
- (b) Sewer
- (c) Streets
- (d) Schools
- (e) Parks and Playgrounds
- (f) Fire Protection
- (g) Storm Water Drainage

(4) The Commission shall determine which streets shall be dedicated and which passageways are to be private streets or parking lots.

(5) If the Commission is of the opinion that the location of the multiple family or multiple group development would conflict with the Master Plan for the City of Fort Wayne or would be detrimental to the growth of existing uses in the surrounding area, the Commission may disapprove said multiple development proposal; provided, however, such approval by the Commission will not be unreasonably withheld.

(B) The preliminary development plan shall meet the following standards and include the following information and supporting data:

(1) No less than 2,500 square feet of land is devoted to any efficiency, one or two bedroom living unit. In determining density no part of any existing street right-of-way or proposed right-of-way as shown in the Thoroughfare Plan shall be included.

(2) Living units having three (3) or more bedrooms shall have a minimum 4,000 square feet of land per unit. In determining density no part of any existing street right-of-way or proposed right-of-way as shown in the Thoroughfare Plan shall be included.

(3) The minimum off-street parking requirement shall be one and one-half (1½) spaces per unit and must be in an acceptable location to the building served. All parking spaces on public or private streets shall be parallel to the street.

(4) All dedicated streets shall conform to the minimum requirements of the Subdivision Control Ordinance of the City of Fort Wayne and provide alignment with existing dedicated streets.

(5) The maximum building coverage does not exceed thirty (3) percent of the tract, exclusive of streets.

(6) Recreation or laundry facilities be located in a manner that would serve only the proposed multiple family complex. The use of these facilities by persons living outside this complex would be a violation of this ordinance.

(7) In a multiple family or multiple group development, no building shall be closer than twenty-five (25) feet to an adjacent property line in the case of a one-story building nor closer than thirty (30) feet in the case of a two-story building. The Plan Commission may waive front, side or rear yard requirements if such waiver would complement the plan.

(8) Date, Scale 1"=50', North Arrow, Name of Designer or Engineer and name and address of developer or tract.

(9) Accurate boundaries or proposed development and accurate location of abutting streets and structures.

(10) Location, size, use and capacity of all structures existing or to be placed on the tract.

(11) Proposed point of ingress and egress for the planned development with proposed parking areas.

(12) Existing and proposed rights-of-way of existing or proposed streets, roads and highways.

(13) Proposed site screening and landscaping of development. A minimum of forty (40) per cent of all open space, exclusive of streets, shall be devoted to landscaping, unless waived by the Commission.

(14) Proposals for sewers, water, gas, electricity and storm drainage and the necessary easements for these utilities.

(15) Proposals for control of storm water runoff.

(16) A twenty-five (25) dollar application fee must be paid to the Fort Wayne City Controller for the processing of this development plan.

(17) The Commission shall determine the location and type of all additional sidewalks.

If the Commission approved the preliminary development plan, the final development plan shall be submitted to the Commission twenty-one (21) days prior to their scheduled meeting and include the original tracing, five (5) prints and the following additional information and supporting data:

1. Five (5) sets of improvement plans to be distributed to the Street Engineer, Water Engineer and Sewer Engineer and drawn in compliance with the Fort Wayne Board of Public Works Specifications.

2. Existing contours of two (2) foot intervals with spot elevations of finished grade and directions of storm water runoff.

3. To dedicate the streets and easements within this development plan, the following should be added:

(a) Name of Plat

(b) Street name assigned to streets to be dedicated and defining of streets or drives to remain private.

(c) Certification by land surveyor registered by the State of Indiana.

(d) Lot lines and dimensions.

(e) Execution and notary by owners of land.

(f) Instrument of approval for signatures of governing bodies.

(g) Private restrictive covenants.

(h) Statement dedicating streets and easements to the City of Fort Wayne.

SECTION 2. Section 16 (a) of Chapter 36 of the Municipal Code of the City of Fort Wayne, Indiana, 1946, as amended by General Ordinance No. 2935 and subsequent amendments, is hereby amended with respect to "RA" and "RB" Districts as follows:

District RA, Minimum Width of Building Line, 75 feet. Minimum Lot Area (Square Feet), 10,000. Required Lot Area Per Dwelling Units and Square Feet Per Unit, 1, 10,000; 2, 7,000; 3 or more see Section 14(D), 10.

District RB, Minimum Width of Building Line, 60 feet. Minimum Lot Area (Square Feet), 7,200. Required Lot Area Per Dwelling Units and Square Feet Per Unit, 1, 7,200; 2, 5,000; 3 or more see Section 14(D), 10.

SECTION 3. Section 16 (B) of Chapter 36 of the Municipal Code of the City of Fort Wayne, Indiana, 1946, as amended by General Ordinance No. 2935 and subsequent amendments, is hereby amended by deleting therefrom, hereinafter, as read:

undersigned A. M. Hostman who, being duly sworn, says that she is Clerk of the

NEWS-SENTINEL

DAILY

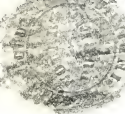
newspaper of general circulation printed and published in the English language in the city of FORT WAYNE, INDIANA in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for 2 time^s, the dates of publication being as follows: September 3, 1970

September 10, 1970

Subscribed and sworn to before me this 11th day of September, 1970

Edith Stapleton
Notary Public

My commission expires March 8, 1974



Within the master plan for the City of Fort Wayne would be detrimental to the growth of existing uses in the surrounding area. The Commission may disapprove said multiple development proposal, providing, however, such approval by the Commission will not be unreasonably withheld.

(B) The preliminary development plan shall meet the following standards and include the following information and supporting data:

- (1) No less than 2,500 square feet of land is devoted to any efficiency, one or two bedroom living units, in determining density no part of any existing street right-of-way or proposed right-of-way as shown in the Thoroughfare Plan shall be included.
- (2) Living units having three (3) or more bedrooms shall have a minimum of 4,000 square feet of land per unit. In determining density no part of any existing street right-of-way or proposed right-of-way as shown in the Thoroughfare Plan shall be included.
- (3) The minimum off-street parking requirement shall be one and one-half (1½) spaces per unit and must be in an acceptable location to the building served. All parking spaces on public or private streets shall be parallel to the street.
- (4) All dedicated streets shall conform to the minimum requirements of the Subdivision Control Ordinance of the City of Fort Wayne and provide alignment with existing dedicated streets.
- (5) The maximum building coverage does not exceed thirty (3) percent of the tract, exclusive of streets.
- (6) Recreation or laundry facilities be located in a manner that would serve only the proposed multiple family complex. The use of these facilities by persons living outside this complex would be a violation of this ordinance.
- (7) In a multiple family or multiple group development, no building shall be closer than twenty-five (25) feet to an adjacent property line in the case of a one-story building nor closer than thirty (30) feet in the case of a two-story building. The Plan Commission may waive front, side or rear yard requirements if such waiver would complement the plan.
- (8) Data, Scale 1"=30' North Point, Name of Designer or Engineer and name and address of developer or tract.
- (9) Accurate boundaries of proposed development and accurate location of abutting streets and structures.
- (10) Location, size, use and capacity of all structures existing or to be placed on the tract.
- (11) Proposed point of ingress and egress for the planned development with proposed parking areas.
- (12) Existing and proposed rights-of-way of existing or proposed streets, roads and highways.
- (13) Proposed site screening and landscaping of development. A minimum of forty (40) per cent of all open space exclusive of streets, shall be devoted to landscaping, unless waived by the Commission.
- (14) Proposals for sewers, water, gas, electricity and storm drainage and the necessary easements for these utilities.
- (15) Proposals for control of storm water runoff.
- (16) A twenty-five (25) dollar application fee must be paid to the Fort Wayne City Controller for the processing of this development plan.
- (17) The Commission shall determine the location and type of all additional sidewalks.

If the Commission approved the preliminary development plan, the final development plan shall be submitted to the Commission twenty-one (21) days prior to their scheduled meeting and include the original tracing, five (5) prints and the following additional information and supporting data:

1. Five (5) sets of Improvement plans to be distributed to the Street Engineer, Water Engineer and Sewer Engineer and drawn in compliance with the Fort Wayne Board of Public Works Specifications.
2. Existing contours of two (2) foot intervals with spot elevations of finished grade and directions of storm water runoff.
3. To dedicate the streets and easements within this development plan, the following should be added:
 - (a) Name of Plat
 - (b) Street name assigned to streets to be dedicated and defining of streets or drives to remain private.
 - (c) Certification by land surveyor registered by the State of Indiana.
 - (d) Lot lines and dimensions.
 - (e) Execution and notary by owners of land.
 - (f) Instrument of approval for signatures of governing bodies.
 - (g) Private restrictive covenants.
 - (h) Statement dedicating streets and easements to the City of Fort Wayne.

SECTION 2. Section 16 (a) of Chapter 36 of the Municipal Code of the City of Fort Wayne, Indiana, 1946, as amended by General Ordinance No. 2836 and subsequent amendments, is hereby amended with respect to "RA" and "RB" Districts as follows:

District RA, Minimum Width of Building Line, 75 feet. Minimum Lot Area (Square Feet), 10,000. Required Lot Area Per Dwelling Units and Square Feet Per Unit, 1, 10,000; 2, 7,000; 3 or more see Section 14(D), 10.

District RB, Minimum Width of Building Line, 40 Feet. Minimum Lot Area (Square Feet), 7,200. Required Lot Area Per Dwelling Units and Square Feet Per Unit, 1, 7,200; 2, 5,000; 3 or more see Section 14(D), 10.

SECTION 3. Section 16 (B) of Chapter 36 of the Municipal Code of the City of Fort Wayne, Indiana, 1946, as amended by General Ordinance No. 2836 and subsequent amendments, is hereby amended by deleting therefrom Paragraph 5 and changing the present Paragraph 4 thereof to Paragraph 5 and the present Paragraph 5 thereof to Paragraph 6 of said Section 16, (B).

SECTION 4. Section 8 (B), paragraph (a) of Chapter 36 of the Municipal Code of the City of Fort Wayne, Indiana, 1946, as amended by General Ordinance No. 2836 and subsequent amendments, is hereby amended to read as follows:

For any dwelling unit — At least one and one-half (1½) parking spaces plus one parking space for each two (2) sleeping rooms rented to persons not members of the family occupying the dwelling unit.

SECTION 5. This Ordinance shall become effective upon its passage approval by the Mayor, and publication as required by law.

JACK K. DUNIFON, Councilman,
Read the third time in full and on motion by Dunifon seconded by Robinson and duly adopted, placed on its passage.
Passed by the following vote:
Ayes: six
Adams, Dunifon, Foy, Robinson, Steigerwald, Tipton.
Nays: none.
Absent—three, to-wit: Councilmen Geoko, Nickols and Rousseau.
Date: 8-22-70.

FUAD G. BONAHOOM, City Clerk,
Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as General Ordinance No. G-97-70 on the 25th day of August, 1970.

ATTEST:
FUAD G. BONAHOOM, City Clerk,
HERBERT G. TIPTON, Presiding Officer,
Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 26th day of August, 1970 at the hour of 8:30 o'clock A.M., E.D.T.
FUAD G. BONAHOOM, City Clerk,
Approved and signed by me this 26th day of August, 1970, at the hour of 10:34 o'clock A.M., E.D.T.
HAROLD S. ZEIS, Mayor,
I, Fuad G. Bonaohoom, Clerk of the City of Fort Wayne, Indiana, do hereby certify that the above and foregoing is a full, true, and complete copy of General Ordinance No. G-97-70, passed by the Common Council on the 25th day of August, 1970, and that said Ordinance was duly signed and approved by the Mayor on the 26th day of August, 1970, and now remains on file and on record in my office.

WITNESS my hand, and the official seal of the City of Fort Wayne, Indiana, this 26th day of August, 1970.
FUAD G. BONAHOOM, City Clerk.

Common Council-City of Ft. Wayne
(Governmental Unit)To NEWS-SENT INEL Dr.Allen County, Ind.FORT WAYNE, INDIANA

PUBLISHER'S CLAIM

LINE COUNT

Display Matter (Must not exceed two actual lines, neither of which shall total more than four solid lines of the type in which the body of the advertisement is set)
— number of equivalent lines

Head number of lines

Body number of lines

Tail number of lines

Total number of lines in notice

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275

1

276

COMPUTATION OF CHARGES

276 lines, columns wide equals equivalent lines at .288¢ cents per line79.49

Additional charge for notices containing rule or tabular work (50 per cent of above amount)

Charge for extra proofs of publication (50 cents for each proof in excess of two)

TOTAL AMOUNT OF CLAIM

79.49

DATA FOR COMPUTING COST

Width of single column 11 ems

Size of type 5½ pointNumber of insertions 2Size of quad upon which type is cast 5½

Pursuant to the provision and penalties of Ch. 89, Acts 1967,

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

Date September 11, 1970Title Clerk

PUBLISHER'S AFFIDAVIT

State of Indiana } ss:
Allen County }Personally appeared before me, a notary public in and for said county and state, the undersigned A. M. Hostman who, being duly sworn, says that She is Clerk of the NEWS-SENT INELa DAILY newspaper of general circulation printed and published in the English language in the city of FORT WAYNE, INDIANA in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for 2 time s, the dates of publication being as follows:September 3, 1970September 10, 1970Subscribed and sworn to before me this 11th day of September 19 70My commission expires March 8, 1974

Notary Public

